

## Metal Detecting on the Tonto National Forest

Metal detecting, which many view as a form of “treasure hunting,” typically involves the location of recent vintage coins or other small objects of recent age. No significant excavation is involved. Searching for treasure trove, a valuable quantity of money or precious worked-metal in the form of coins, plate, or bullion of unknown ownership, purposely hidden, can be undertaken with a metal detector but requires a treasure trove permit prior to excavating or removal of any buried treasure. Prospecting for gold and other mineral deposits using a metal detector is permissible but significant disturbance could require the filing of a Mining Plan of Operations. Also, many of the mineralized lands within the forest have been “claimed” by others who have the sole right to prospect and develop the mineral resources found on the claims. It is the responsibility of the detectors to determine, by consulting County and Bureau of Land Management records, if someone has claimed an area.

Metal detecting can legally take place in most areas of the National Forest System, although some forests have issued blanket closures to metal detecting as a result of a high incident of resource damage to historic properties and natural resources. Presently it is legal to metal detect on the Tonto National Forest. However there are activities involving the use of metal detectors which may violate federal laws, regulations and policies protecting archaeological resources on the Tonto National Forest.

Q: What is an Archaeological Resource?

A: The Archaeological Resources Protection Act of 1979 (ARPA) defines an archaeological resource as “any material remains of past human life or activities which are of archaeological interest, as determined under uniform regulations promulgated pursuant to this chapter.” The regulation defines “archaeological interest” as ... “capable of providing scientific or humanistic understanding of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation.” The Forest Service Manual (FSM), which guides forest officers in the implementation of the body of federal law defines an archaeological resources as any material remains of prehistoric or historic human life or activities which are of archeological interest and are al least 50 years of age, and the physical site, location, or context in which they are found (36 CFR 261.2). This regulation also prohibits “Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resource, site, artifact, or property” or “Removing any prehistoric, historic, or archaeological resource, structure, site, artifact, or property.” Although it is not illegal to metal detect within an archaeological site, it is illegal to remove or disturb an archaeological resource during the course of metal detecting.